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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. **Alicia INZUNZA-Ayala,** Defendant	Magistrate Docket No. '08 MJ 0408 COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **February 1 1, 2008** within the Southern District of California, defendant, **Alicia INZUNZA-Ayala,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 12th DAY OF **FEBRUARY 2008**

Anthony J. Battaglia
UNITED STATES MAGISTRATE JUDGE

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CONTINUATION OF COMPLAINT:
Alicia INZUNZA-Ayala

PROBABLE CAUSE STATEMENT

On February 11, 2008 Supervisory Border Patrol Agent J. J. Carrell was performing line watch duties in the Imperial Beach Border Patrol Station area of operations. At approximately 12:30 AM the infra-red scope operator, notified Agent Carrell via Agency radio of five individuals walking north in an area known as the "South Levy". This area is located approximately 100 yards north of the U.S./Mexico International Boundary Fence, and one mile west of the San Ysidro, California Port of Entry. Agent Carrell responded to the area and began performing a search of the area. Agent Carrell found five subjects attempting to conceal themselves in dense brush. Agent Carrell identified himself as a United States Border Patrol Agent and questioned the subjects as to their citizenship and immigration status. All five subjects, including one later identified as the defendant **Alicia INZUNZA-Ayala,** admitted to being citizens and nationals of Mexico not in possession of any immigration documents which would allow them to enter or remain in the United States legally. At 12:35 AM Agent Carrell placed the five subjects under arrest, including the defendant. All five subjects were transported to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed an immigration history. The defendant's record was determined by a comparison of his immigration record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to on **February 9, 2008** through **Calexico, California.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of her Miranda rights. The defendant stated that she understood her rights and was willing to answer questions without an attorney present. The defendant admitted that she is a citizen and national of Mexico illegally present in the United States. The defendant further admitted that she had been previously deported from the United States and has not applied or requested permission to re-enter the United States legally.